

MILLS COUNTY IOWA

305 Railroad Ave.
Glenwood, IA 51534
712-527-4873

UP-_____ - _____**UTILITY PERMIT APPLICATION**

Expires in 90 days (Please call for an extension if needed)

FEE: \$150

(Anything over 2 miles add additional \$50 per mile)

This is a Utility Permit Application for telecommunications, electric, gas, water, and sewer utilities both above and below ground. The applicant agrees to comply with the following permit requirements. Mills County reserves the right to inspect and approve any construction work performed within its right of way as it relates to the condition of the highway; compliance shall be determined by the sole discretion of the County Engineer. These requirements shall apply unless waived in writing, due to unique local conditions, by the County Engineer prior to installation; any such waiver shall be attached to the permit. This permit is not intended to conflict with any utility owner's rights of duties mandated in Chapters 388,390,474,476, 476A, 477,478,479, 479A and 480 or by the Iowa Utility Board or other State and Federal regulations.

Applicant Name: _____

Address: _____

City, State, Zip: _____

Phone No: _____

Contact Person: _____

Email: _____

Brief Description: (type of facility, location) _____

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1. **Location Plan** An applicant shall file a completed location plan as an attachment to the Utility Permit Application. The location plan shall set forth the location of the proposed line on the secondary road system and include a description of the proposed installation.
 2. **Notice to Proceed** At least two (2) working days prior to the proposed installation, an applicant shall file with the County Engineer a notice stating the time, date, location, and nature of the proposed installation.

3. **Inspection** The County Engineer may provide an inspector during the installation of all lines to ensure compliance with this Utility Permit. The inspection shall be limited to any construction work performed within the right of way as it relates to the condition of the right of way: The utility facility owner shall provide reasonable cooperation.
4. **Requirements** The applicant shall meet the following requirements:
- A. Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
 - B. The minimum cover of utility facilities in the right of way shall be:
 - 1. 48 inches for electrical cable.
 - 2. 30 inches for communication cables.
 - 3. 36 inches for all other underground facilities.

In critical situations where necessary cover cannot be obtained, other protective measures may be approved. The County reserves the right to waive the minimum depth of installation where rock terrain and/or other circumstances make it difficult to obtain the desired depth. The County shall determine the minimum depth in these situations. The County Engineer may require additional depth in areas identified being silted on scheduled for future excavation.

- C. The applicant shall use reference markers in the right of way (R.O.W.) boundary to locate line and changes in alignment.
- D. All tile line locations encountered during construction shall be protected in accordance with I.A.C. 199-9.2(479).
- E. No underground utility lines shall cross over a driveway or crossroad drainage structure without express written permission of the County Engineer.
- F. Residents along the utility route shall have uninterrupted access to the public roads. An all-weather access shall be maintained for residents adjacent to the project.
- G. The applicant and the County Engineer both before and after construction may make a joint assessment of the road surfacing. After construction, granular surfacing shall be added to the road at the applicant's cost, if necessary, to restore the road to its original condition. After surfacing has been applied, the road surface may be jointly reviewed by the County Engineer and the applicant once the road has been saturated, (by rain or snow melt) to determine if additional surfacing on the roadway by the applicant is necessary.
- H. Areas within the R.O.W. damaged by the installation shall be repaired and restored to at least their former condition by the applicant or the cost of the repair work caused to be performed by the County will be assessed against the applicant.
- I. The applicant in a manner approved by the County Engineer shall solve areas disturbed during construction, which create an erosion problem.
- J. All trenches, excavations, and utilities that are knifed shall be properly compacted.
- K. Road crossings shall be bored. The depth below the road surface shall be a minimum depth of 48 inches for all utility facilities.

5. **Nonconforming Work** The County Engineer may halt the installation at any time if the applicant's work does not meet the requirements set forth in this Utility Permit or due to immediate safety concerns.
6. **Emergency Work** In *emergency situations*, work may be initiated by an applicant without first obtaining a Utility Permit. However, the County Engineer shall be notified via telephone or fax as soon as possible and a Utility Permit must be requested within five (5) days of initiation of work. All emergency work shall be done in conformity with the provisions of this permit and may be inspected for full compliance.
7. **County Infraction** Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty for each violation.
8. **Hold Harmless** The utility company shall hold this County harmless from any damages resulting from the negligence of the applicant. A copy of a certificate of insurance **naming this County as an additional insured** for the permit work or proof of self-insurance shall be provided to the County Engineer prior to installation. The minimum limits of liability under the insurance policy or proof of self-insurance shall be \$1,000,000.
9. **Permit Required** No applicant shall install any lines unless such applicant has obtained a Utility Permit from the County Engineer. Applicants agree to hold the County free from liability for all damages to applicant's property which occurs proximately as a result of the applicant's failure to comply with said ordinances or requirements.
10. **Schedule of Fees** All permits will be assessed based on the following criteria:

Base Fee: \$150

Per Mile: \$50
Increment over
2 miles:

Fees associated with projects of extended lengths (over 2 miles) will only be evaluated by the length of county right of way impacted. Please see an example below for further clarification.

Example: Total project length 3.3 miles. Project requires a \$150-dollar base fee, plus \$50 each mile thereafter. $3.3 - 2.0 = 1.3$ remaining miles. 1.3 miles = \$100 dollars for a total permit fee of \$250 dollars.

11. **Relocation** The applicant shall, at any time subsequent to installation of utility lines, at the applicant's own expense, relocate or remove such lines as may become necessary to conform to new grades, alignment or widening or R.O.W. resulting from maintenance or construction operations for highway improvements.

12. Term of Permit

In accordance with section 320.5 of the Code of Iowa, applicable gas mains and water mains described in section 320.4 shall be granted a permit for a period not to exceed twenty (20) years. At the end of the twenty years, if neither of the parties object in writing, the permit will automatically renew itself.

APPLICANT CHECKLIST

(Permit will not be processed without these documents & fees submitted)

_____ **\$150 Permit Fee** (plus additional mileage fee if applicable.)

\$ _____ **Mileage Fee** (additional mileage fee if applicable at \$50 per mile.)

_____ **Insurance Certificate** "Holding Harmless Mills County"

_____ **Plans**

Date

Name of Company

By _____

Telephone No. to Call in Case of Emergencies: _____

Approved:

Date

County Engineer
